

## **REMARKS**

### **Claim Rejections**

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sumner et al. (US Pub. 2002/0061003 A1), and further in view of Yu et al. (US 7,106,860).

### **Drawings**

It is noted that the Examiner has accepted the drawings as originally filed with this application.

### **Claim Amendments**

By this Amendment, Applicant has canceled claim 4 and amended claim 1 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The primary reference to Sumner et al. teaches a system for wireless network access including particular wireless subscriber unit (340a-340c, 440a-440c) within a wireless network (130). As noted by the Examiner on page 3, of the outstanding Office Action, Sumner et al. "is silent on the capability of showing the unit is the AES (advance encryption standard) operation unit".

Sumner et al. do not teach a plurality of advance encryption standard (AES) operation units; each of the plurality of advance encryption standard (AES) operation units is capable of accomplishing a designated advance encryption standard (AES) operation independently; each of the plurality of advance encryption standard (AES) operation units comprising: a data receiving device and an operating device coupling to the data receiving device; nor do Sumner et al. teach the data receiving device having two inputs that a first input is used for receiving an external data signal and a second input is used for receiving a supporting signal coming from the other operation unit, wherein, when an operating mode of the data receiving device is "normal", the data receiving device will output the first input, and when an

operating mode of the data receiving device is "speed-up", the data receiving device will output the second input.

The secondary reference to Yu et al. teaches a system for executing an advanced encryption standard algorithm. However, Yu et al. do not teach a "normal" operating mode or a "speed-up" operating mode as taught by the present invention. Yu et al. does not teach a controlling device for enabling idle AES operation units to assist working AES operation units for data processing and an integrating device for integrating outputs of the operating devices of the operation units which are in "speed-up" mode.

Yu et al. do not teach a plurality of advance encryption standard (AES) operation units; each of the plurality of advance encryption standard (AES) operation units is capable of accomplishing a designated advance encryption standard (AES) operation independently; each of the plurality of advance encryption standard (AES) operation units comprising: a data receiving device and an operating device coupling to the data receiving device; nor do Yu et al. teach the data receiving device having two inputs that a first input is used for receiving an external data signal and a second input is used for receiving a supporting signal coming from the other operation unit, wherein, when an operating mode of the data receiving device is "normal", the data receiving device will output the first input, and when an operating mode of the data receiving device is "speed-up", the data receiving device will output the second input.

Even if the teachings of Sumner et al. and Yu et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a plurality of advance encryption standard (AES) operation units; each of the plurality of advance encryption standard (AES) operation units is capable of accomplishing a designated advance encryption standard (AES) operation independently; each of the plurality of advance encryption standard (AES) operation units comprising: a data receiving device and an operating device coupling to the data receiving device; nor does the combination suggest the data receiving device having two inputs that a first input is used for receiving an external data signal and a second input is used for receiving a supporting signal coming from the other operation unit, wherein, when an operating mode of the data receiving device is "normal", the data receiving

device will output the first input, and when an operating mode of the data receiving device is "speed-up", the data receiving device will output the second input.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit.

Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Sumner et al. or Yu et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Sumner et al. nor Yu et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's amended claims.

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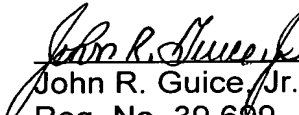
**Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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